

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

KERYX BIOPHARMACEUTICALS, INC.,

SUMMONS IN A CIVIL ACTION

V.

PANION & BF BIOTECH, INC.,

CASE NUMBER:

08 CIV 3603

TO: (Name and address of Defendant)

Panion & BF Biotech Inc
16F, No. 3, Yuanqu St.
Nangang District
Taipei, Taiwan

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Gregg L. Weiner
Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza
New York, New York 10004-1980

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON
CLERK

DATE

APR 15 2008

(By) *Patricia C. Curtis*
DEPUTY CLERK

Gregg L. Weiner
 Stephen S. Rabinowitz
 Fried, Frank, Harris, Shriver & Jacobson LLP
 One New York Plaza
 New York, New York 10004-1980
 (212) 859-8000
 Attorneys for Plaintiff
 Keryx Biopharmaceuticals, Inc.

UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X	:	
KERYX BIOPHARMACEUTICALS, INC.,	:	ECF CASE
	:	
Plaintiff,	:	08 Civ. 3603 (DLC)
	:	
- against -	:	CERTIFICATE OF
	:	SERVICE
PANION & BF BIOTECH, INC.,	:	
	:	
Defendant.	:	
-----X	:	

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that I caused true and correct copies of the following documents to be served upon Panion & BF Biotech, Inc. by the methods described below:

- 1) Verified Complaint dated April 15, 2008, with attached Summons, Civil Cover Sheet, and Rule 7.1 Disclosure;
- 2) Notice of Initial Pretrial Conference dated June 3, 2008;
- 3) Individual Practices in Civil Cases for Denise Cote, United States District Judge;
- 4) Individual Practices of Magistrate Judge Ronald L. Ellis; and
- 5) Electronic Case Filing Rules & Instructions for the United States District Court for the Southern District of New York, May 28, 2008 Edition.

The above documents were served by both of the following means:

- A. by personal service, on June 10, 2008, as set forth in the Affidavit of Service of Anthony Calderon sworn to on June 10, 2008 and appended hereto; and
- B. by depositing copies in a secure, postpaid package with the U.S. Postal Service, on June 6, 2008, for transmittal by Registered International First Class Mail, return receipt requested, to:

Panion & BF Biotech, Inc.
16F No. 3, Yuanqu Street,
Nangang District,
Taipei, Taiwan, ROC
Attn: Michael Chiang

in accordance with a previous written agreement between the plaintiff and Panion that provides that service of process may be effected by certified mail to Panion at the above address.

Dated: New York, New York
June 11, 2008



Ross M. Speier

EPS Judicial Process Service, Inc.
29-27 41st Avenue, Suite 812
Long Island City, NY 11101
Telephone: 718-472-2900
Facsimile: 718-472-2909

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KERYX BIOPHARMACEUTICALS, INC.,

Plaintiff (s),

Index: 08 CIV 3603
AFFIDAVIT OF SERVICE

-against-

PANION & BF BIOTECH, INC.,

Defendant (s).

-----X
STATE OF NEW YORK)

:s.s:

COUNTY OF QUEENS)

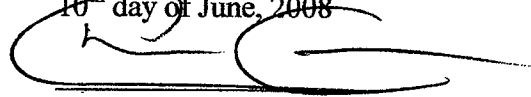
ANTHONY CALDERON, being duly sworn, deposes and says:

I am not a party to this action, am over the age of eighteen years, and
reside in the State of New York.

On the 10th day of June, 2008, at approximately 11:32 a.m. at 141-07 20th
Avenue, Whitestone, New York, I served true copies of the SUMMONS IN A CIVIL
CASE ACTION, VERIFIED COMPLAINT, CIVIL COVER SHEET, NOTICE OF
INITIAL PRETRIAL CONFERENCE, INDIVIDUAL PRACTICES IN CIVIL CASES
DENISE COTE, UNITED STATES JUDGE, INDIVIDUAL PRACTICES OF
MAGISTRATE JUDGE RONALD L. ELLIS, ELECTRONIC CASE FILING RULES &
INSTRUCTIONS, in the above-entitled action, upon PANION & BF BIOTECH, INC.,
defendant herein named, by personally delivering to and leaving thereat true copies of the
above mentioned documents with Andrew Hsu. At time of service, Mr. Hsu identified
himself as the Administrative Assistant for Panion & BF Biotech, Inc. and as a person
authorized to accept service of process for Panion & BF Biotech, Inc.

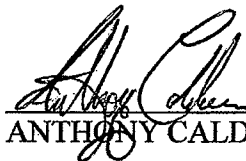
Mr. Hsu is an Asian-American male, approximately 25-30 years of age, 5'11" tall, 170 lbs with dark hair and dark eyes.

Sworn to before me this
10th day of June, 2008

A large, stylized handwritten signature in black ink, likely belonging to the notary public, Cleddy J. Calderon.

NOTARY PUBLIC

CLENDY J. CALDERON
Notary Public, State of New York
No. 01CA6115564
Qualified in Queens County
Commission Expires September 7, 2008

A handwritten signature in black ink, appearing to read 'Anthony Calderon', written over a horizontal line.
ANTHONY CALDERON